



Transport
for NSW

Freight Noise Attenuation Program: Policy







Policy at a glance

Our aim

The Freight Noise Attenuation Program (FNAP) aims to minimise the impact of existing freight rail noise in homes and some sensitive use community buildings.

Our plan

Transport for NSW will reduce the impact of freight noise by installing noise-reducing treatments in eligible homes and buildings. These treatments include:

- upgraded windows
- solid external doors
- enhanced ventilation.

We will prioritise work based on exposure to freight noise, and we will consider value for money.

The program will mainly be delivered by contracted building service providers, which will allow us to increase the program based on need and available funding.

The scope

The program currently prioritises occupied homes. To be eligible for the program, these homes must meet criteria related to their structure and location, and must be exposed to rail noise above certain levels. Full details of how we determine eligibility are in the policy.

Contents

1 Policy in detail	2
1.1 Reviewing requests for action	3
Triggers for action	3
1.2 Determining eligibility	3
Property assessment	3
Cost sharing	3
Noise assessment	3
Advising the applicant	4
1.3 Prioritising the work	4
Exposure	4
Application date	4
1.4 Defining a catchment area	4
Geography	4
Dwellings	5
1.5 Completing the work	5
Treatments	5
Preparation	5
Work on site	6
1.6 Resolving disputes	6
Our procedure	6
Escalating disputes	6
2 Policy context	7
2.1 Background	7
2.2 Related policies	7
Relevant policies	7
Privacy statement	8
Breaches of this policy	8
2.3 Policy definitions	8
3 Authority and document control	10
3.1 Roles and responsibilities	10
3.2 Document control	12
3.3 Document history	12
3.4 Related documents	12

Author: Freight Regulation Management
Date: July 2015
Version: 1

Reference: Freight Noise Attenuation Program: Policy
Division: Freight & Regional Development
Review Date: July 2016



1 Policy in detail



1.1 Reviewing requests for action

Triggers for action

Transport for NSW may begin the FNAP process because of internal triggers like;

- noise complaints
- noise hot-spots we have identified
- noise studies linked to environmental assessments of rail projects.

If we do this, we will offer building treatments to the owners of all eligible dwellings within the defined catchment area. Owners are under no obligation to accept the offer of treatment.

Members of the public can ask to have their home included in the FNAP by applying to Transport for NSW. Please visit our website for the application form:

<http://freight.transport.nsw.gov.au/sustainability/rail-noise.html>

When homeowners apply, a FNAP program manager will register them in the FNAP database and process their applications.

1.2 Determining eligibility

Property assessment

Before we investigate further or contact the applicant, the program manager must check whether the applicant is eligible to enter the program.

The program manager will assess the application to determine that the dwelling:

- has not been identified as ineligible for the FNAP within the past three years, because our forecasts indicate that freight noise levels will not noticeably increase over this time
- is classified as an occupied residence or other noise-sensitive land use according to our definitions
- is no more than 100 metres from the nearest NSW Government rail corridor carrying freight

- is not part of a building that is more than three levels above the ground, as these buildings require special assessment
- is directly facing the rail corridor
- is not part of a development that was approved after 1 January 2009, because these homes should have been built to meet internal noise limits in line with the State Environmental Planning Guidelines.

To learn more, please see our Application procedure.

Cost sharing

Treatment is free provided you have owned your dwelling for seven years or more at the time of offer.

If the dwelling has been owned for less than 7 years, we will offer building treatments on a cost-sharing basis as outlined below:

Ownership length (at the time of the treatment offer)	Owner contribution
0-2 years	85%
2-3 years	70%
3-4 years	55%
4-5 years	35%
5-6 years	20%
6-7 years	10%
7+	0%

If the dwelling is sold after the applicant applies for building treatments, we will calculate the owner contribution as if the ownership has not changed.

Noise assessment

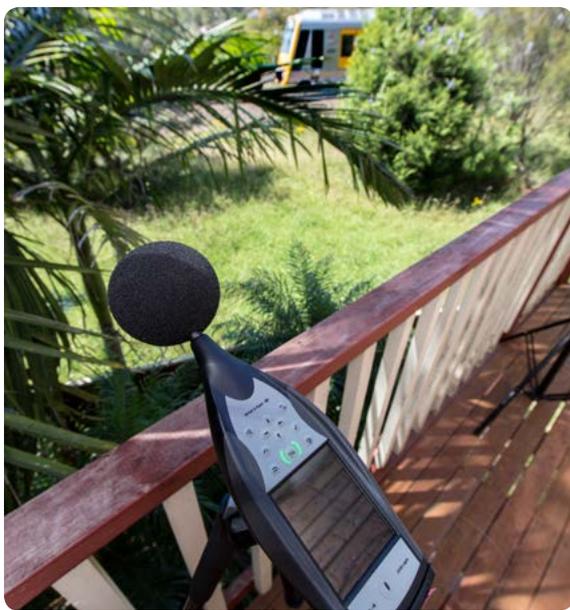
If the dwelling is not near any previous noise monitoring or modelling locations or within a defined catchment area, the program manager will arrange noise monitoring to determine eligibility. To do this, the program manager commissions a qualified acoustic

advisor to monitor noise in line with the Noise monitoring procedure.

To be eligible for the FNAP, the dwelling must have external rail noise at or above these levels:

Day (7 am to 10 pm)	Night (10 pm to 7 am)
L _{Aeq(15hour)} 70 dBA	L _{Aeq(9hour)} 65 dBA

We determine these levels by monitoring noise at the dwelling for two consecutive weeks.



Advising the applicant

Once this assessment is complete, the program manager will:

- write to the applicant confirming whether or not the dwelling is eligible for treatment under the FNAP
- update the FNAP database with the contact and property details of all applicants deemed eligible or ineligible.

1.3 Prioritising the work

Exposure

If the dwelling is eligible, the program manager must prioritise the works in line with our prioritisation procedure. The aim is

to give priority to the most exposed homes in catchment areas where:

- the curve radius of the rail track is less than or equal to 400 metres
- the track gradient is steeper than or equal to 1 in 65 metres
- there are more than six L_{AFMAX} events from freight trains exceeding 85 dBA during any nighttime period (10 pm to 7 am), as determined during two weeks of noise monitoring.

Application date

The date of application is a secondary consideration. If an applicant rejects a treatment offer and then re-applies after works in their catchment area have commenced, work at the dwelling may be given a lower priority.

1.4 Defining a catchment area

Geography

The program manager will liaise with the acoustic advisor to determine a catchment area. The offer of building treatments will be extended to all eligible dwellings in the new catchment area.

The geographical extent of a catchment area may be limited by:

- changes to how the land is used (such as residential to commercial)
- an elevation change compared to adjacent properties (including where the rail line goes into a cutting or behind a noise barrier)
- a major road dividing the neighbourhood
- a railway station
- a council boundary.

Dwellings

Dwellings must be within 100 metres of the nearest NSW Government freight rail corridor. Only the row of properties next to the rail corridor will be considered for treatment, except where the property has an unobstructed view of the rail corridor.

Catchment areas must not include more than 30 dwellings. If more than 30 dwellings fall within one area, the program manager will establish multiple catchment areas.

1.5 Completing the work

Treatments

The treatment is considered to be reasonable and feasible treatment for freight rail noise.

In addition,

- the dwelling must be in a reasonable condition, and the owner is responsible for fixing any disrepair before treatment
- treatments will be in line with the FNAP Standard Treatment Package
- The cost of building treatments must not exceed \$30,000 per dwelling including all labour and materials. After 2015 this cost will be indexed to CPI.

We believe that restful nights are important for residents exposed to high levels of rail noise. Building treatments under the program are limited to habitable rooms facing the rail corridor.



Preparation

The program manager will engage a works coordinator to:

- review each catchment area and confirm which dwellings are eligible
- confirm ownership of all eligible dwellings through land title information
- contact the homeowners in writing and in person to introduce the program
- explain cost sharing arrangements if applicable
- visit each eligible dwelling to scope building treatments, in line with the FNAP Standard Treatment Package
- prepare a dwelling report for each eligible dwelling, detailing the proposed treatments and estimated cost
- provide the program manager with the dwelling reports
- compile a catchment report and other material to help source quotes
- assist the project manager to request quotes and recommend an appropriate building services provider
- give the participant a letter of offer and agreement describing the proposed building treatments and any cost-sharing
- advise the program manager of all accepted and declined offers
- manage the work with regular reports to the program manager
- certify works are complete and document this for the program manager.

The applicant must:

- respond to any offer of participation within 28 business days
- sign the Letter of Offer and Agreement
- provide the works coordinator with access to the home
- include a payment contribution if required.

Work on site

Taking into account the recommendation of the works coordinator, the program manager will engage a building services provider to:

- check measurements for all building elements
- prepare a site management plan for the works coordinator
- prepare a catchment work plan including all eligible dwellings in the catchment
- if required, manage asbestos in line with the Work Health and Safety Regulation 2011 and WorkCover policies and fact sheets
- arrange access to the property to complete the work
- complete the agreed works in line with the catchment work plan and site management plan.



Throughout the process, the building services provider must report to the works coordinator about:

- the expected completion date of their services and relevant milestones
- costs associated with the works performed to date
- owner and occupant approvals
- final inspection and sign-off from relevant parties, in line with the Acceptance and Documentation procedure.

1.6 Resolving disputes

Our procedure

If the participant raises an issue or dispute relating to the process, we will address it in a fair, objective and unbiased manner, in line with our Dispute Handling procedure.

The guiding principles for complaint and dispute handling are:

- we will advise all applicants and participants how to complain
- we respect the applicant or participant's right to complain, and we will treat them with respect
- we will make our best effort to resolve all complaints within the time specified in the procedure
- the program manager will maintain a log of issues and disputes
- we will handle unreasonable complaints in line with the NSW Ombudsman's Managing Unreasonable Complainant Conduct practice manual.

Escalating disputes

Under this procedure, we must escalate disputes when:

- the dispute cannot be resolved within the agreed timeframe
- the applicant or participant requests to speak to a higher-level manager.



2 Policy context

2.1 Background

NSW communities are becoming more concerned about freight train noise. The NSW Freight and Ports Strategy identifies the need to address this in a comprehensive and holistic way. In response, Freight and Regional Development (FRD) developed the Strategic Noise Action Plan (SNAP) with the Environment Protection Authority (EPA), NSW Health and the Department of Planning and Environment.

The SNAP outlines three strategies to reduce rail freight noise:

1. reduce noise at source targeting wheel squeal and idling engine noise
2. minimise the impact of freight rail noise on residents and sensitive land uses
3. minimise the impact of increased rail noise through the new development controls for land next to rail corridors and facilities.

The Freight Noise Attenuation Program (FNAP) is part of the second SNAP strategy.

2.2 Related policies

Relevant policies

When developing the FNAP, we considered:

- guidelines for noise attenuation developed by the EPA with Sydney Trains and the Australian Rail Track Corporation

- the Roads and Maritime Service Noise Abatement Program for properties next to major roads
- different noise attenuation methods and their cost effectiveness
- studies of noise levels next to rail lines and the types of noise generated by freight trains
- complaints from the community about rail noise
- results of trials and testing of procedures, systems and treatments.

In the broader policy context, we also considered:

- Rail Infrastructure Noise Guideline, EPA 2013, which specifies noise triggers for heavy rail projects
- Development Near Rail Corridors and Busy Roads-Interim Guideline, Department of Planning, 2008, which provides guidance on how to achieve specified internal noise levels in the State Environmental Planning Policy (Infrastructure) 2007.
- Transport for NSW's Strategic Noise Action Plan.

Privacy statement

We will also comply with the privacy principles set out in the Privacy and Personal Information Protection Act 1998 (NSW).

We will hold any personal information at 18 Lee Street, Chippendale NSW 2008. People generally have the right to access

and correct their personal information. If you wish to do this, please contact us at privacy@transport.nsw.gov.au.

Breaches of this policy

Transport for NSW may start disciplinary action if a person breaches the FNAP Policy or related procedures, including termination.

2.3 Policy definitions

Term	Definition
Agreement	The agreement enables the building services provider to undertake noise treatments. The participant must sign this document before the work can start.
Applicant	A person who lodges an Application Form under the FNAP process.
Building services provider	A service provider who is contracted to carry out the building treatments in accordance with the Dwelling Report developed by the works coordinator.
Catchment area	A defined area containing residences or other sensitive land uses that have been identified as potentially eligible for the FNAP.
Catchment report	A set of dwelling reports for a single catchment area, representing the group of dwellings to be treated by a single building services provider.
Catchment work plan	The program developed by the building services provider for implementing building treatments at all eligible dwellings within a defined catchment area, in accordance with the Catchment Report.
Dwelling	An occupied residence or other sensitive land use. The policy excludes short-term rental accommodation and holiday homes.
Dwelling Report	The building treatments proposed for an individual eligible dwelling, as prepared by the works coordinator.
FNAP database	This database contains property details for applications received as part of the FNAP process and their current status.
FNAP Standard Treatment Package	This document provides a framework for consistent and fair building treatments at eligible dwellings.
FNER	Freight Network, Efficiency and Regulation (within FRD)
FRD	Freight and Regional Development (within TfNSW)
FRM	Freight Regulation Management (within FNER)
Habitable room	A bedroom, living room, family room or study. Non-habitable rooms include kitchens, bathrooms, laundries and garages, and these are not covered under the policy, unless the non-habitable room opens directly onto an eligible habitable room.
L _{Aeq}	The Equivalent Continuous Noise Level. This may be likened to an 'average noise exposure' over a defined period.

Term	Definition
L _A F _{max}	The Maximum Noise Level during a single train pass by noise event. Measured with Fast meter response.
Letter of Offer	The formal invitation to accept noise-attenuating treatments to the building. The letter includes the Agreement to sign.
Noise exposed façade	The external side of a habitable room that faces the rail corridor.
Other sensitive land use	Other sensitive land uses include places of worship, schools, educational centres, hospital wards and childcare centres.
Participant	The authorised person representing an eligible dwelling that is participating in the program. Participants must own the residence or sensitive land use, or have authority to approve the noise-attenuating treatments, such as a person representing the building's Owners Corporation.
Program manager	The program manager provides overall program management and will identify the catchment areas.
R _w	The 'Weighted Sound Reduction Index' is a measure of the sound insulation performance of a single building element such as a window, door or wall material.
Works coordinator	The contracted service provider engaged by Transport for NSW to develop Treatment Reports and manage the building services provider delivering the catchment work plan.



3 Authority and document control

3.1 Roles and responsibilities

Role	Accountability
Deputy Director General, FRD	<ul style="list-style-type: none"> • Policy Owner • Funding
General Manager, FNER	<ul style="list-style-type: none"> • Program Sponsor
Principal Manager, FRM	<ul style="list-style-type: none"> • Providing strategic direction • Making decisions in line with policy
Program manager	<ul style="list-style-type: none"> • Negotiating contracts • Managing the policy and procedures • Paying service providers • Identifying catchment and project areas • Funding submissions • Signing off proposed works and selected builders • Reviewing and monitoring KPIs • Reporting on progress • Maintaining records • Liaising with the complaints manager • Providing SME advice to different groups/stakeholders • Handling disputes
Contract administrator	<ul style="list-style-type: none"> • Administering contracts • Managing tenders • Monitoring non-compliance • Issuing notices to suppliers • Logging and reporting contract issues

Role	Accountability
Database officer	<ul style="list-style-type: none"> • Updating the database • Processing applications
Acoustic advisor	<ul style="list-style-type: none"> • Carrying out noise monitoring or modelling • Providing general acoustic advice as required • Supporting the program manager as requested
Works coordinator	<ul style="list-style-type: none"> • Contacting home owners • Liaising and corresponding with participants • Developing Dwelling Reports • Managing the project • Reporting progress to the program manager • Supervising building works • Checking and reporting work completion
Building services provider	<ul style="list-style-type: none"> • Completing treatments in line with the Dwelling Report • Ordering materials as required • Liaising with participants and occupants for access
Participant	<ul style="list-style-type: none"> • Submitting application • Liaising with the works coordinator and builders • Providing timely access to the dwelling • Financially contributing to works if required • Approving and accepting treatment works

3.2 Document control

Applicable to	Freight and Regional Development
Status	Draft
Version	1.0
Date of publication	01 July 2015
Effective date	01 July 2015
Review date	01 July 2016
Document owner	To be nominated by the document approver
Document approver	
Superseded documents	This policy does not supersede any documents
GIPA Publication Requirement	The Government Information (Public Access) Act 2009 requires that this document is publicly available.
Enquiries to	Justin McGuire Principal Manager, Freight Regulation Management 02 8202 2591 or Justin.McGuire@transport.nsw.gov.au

Signature of Delegated Authority:

Position Title:

Date:

3.3 Document history

Date and Policy No	Approved by	Amendment notes

3.4 Related documents

FNAP Policy Procedures:

- Application procedure
- Noise Monitoring procedure
- Develop Yearly Plan process
- Deliver Yearly Plan process
- Catchment Area Identification procedure
- Dispute Handling procedure
- Acceptance and Document procedure

transport.nsw.gov.au

Tel 02 8202 2702 **Fax** 02 8202 3890

18 Lee Street Chippendale NSW 2008

PO Box K659 Haymarket 1240

Disclaimer

While all care is taken in producing this work, no responsibility is taken or warranty made with respect to the accuracy of any information, data or representation. The authors (including copyright owners) expressly disclaim all liability in respect of anything done or omitted to be done and the consequences upon reliance of the contents of this information.

© Transport for New South Wales

Users are welcome to copy, reproduce and distribute the information contained in this report for non-commercial purposes only, provided acknowledgement is given to Transport for NSW as the source.